

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CRIMINAL CASE NO. 1:07-cr-00015-MR-2**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
)	
ROBERT WESLEY COOPER,)	
)	
Defendant.)	
_____)	

THIS MATTER is before the Court upon the Defendant's *pro se* letter, which the Court construes as a motion for early termination of his term of supervised release. [Doc. 306].

On April 16, 2007, the Defendant pleaded guilty to one count of conspiracy to manufacture and possess with the intent to distribute methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1) and 846. [Doc. 90]. The Defendant was sentenced on October 3, 2007, to 151 months of imprisonment, followed by five (5) years of supervised release. [Doc. 161]. On April 8, 2015, the Court granted the Defendant's motion for a sentence reduction pursuant to 18 U.S.C. § 3582(c)(2) and U.S.S.G. § 1B1.10(c), Amendment 782 (Nov. 1, 2014). [Docs. 250, 256]. Specifically, the Court

reduced Defendant's term of imprisonment to time served effective November 1, 2015, but did not reduce the original term of five (5) years of supervised release. [Doc. 256].

The Defendant now moves the Court to exercise its discretion and terminate his term of supervised release pursuant to 18 U.S.C. § 3583(e)(1). [Doc. 306].

In order to terminate a defendant's term of supervised release, the Court must be "satisfied that such action is warranted by the conduct of the defendant released and the interest of justice." 18 U.S.C. § 3583(e)(1). In the present case, the Defendant has completed approximately twenty-one (21) months of his sixty (60) month term of supervised release, barely one third. While the Defendant's compliance with the terms and conditions of supervised release is commendable, the Court is not satisfied that termination is yet warranted. The motion appears to be premature. Accordingly, the Court declines to exercise its discretion to terminate the Defendant's term of supervised release at this time.

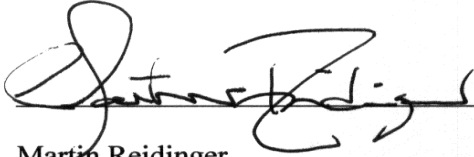
Accordingly, **IT IS, THEREFORE, ORDERED** that the Defendant's motion for early termination of his term of supervised release [Doc. 306] is

DENIED without prejudice. The Defendant's term of supervised release shall continue as originally sentenced.

The Clerk is directed to serve a copy of this Order on the Defendant, counsel for the Government, and the United States Probation Office.

IT IS SO ORDERED.

Signed: August 1, 2017


Martin Reidinger
United States District Judge

